



IN THE UNITED STATES PATENT OFFICE

Application Serial No. 09/783,969

Our Ref.: PT-1858001

**CUSTOMER NO. 23607**

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Title: EMULSION PRECONCENTRATE COMPRISING A  
CYCLOSPORIN AND ACETYLATED MONOGLYCERIDE

Inventor: Bernard Charles Sherman

Examiner: Vickie Kim

Group Art Unit: 1614

Due Date: September 28, 2002

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**RESPONSE TO  
EXAMINER'S REPORT DATED MARCH 28, 2002  
AMENDMENTS & REMARKS**

September 26, 2002

**VIA COURIER**

The Commissioner of Patents  
UNITED STATES PATENT OFFICE  
2011 South Clark Place  
Crystal Plaza 2, Room 1B03  
Arlington, Virginia, U.S.A. 22202

Dear Sir:

In response to the outstanding Official Action dated March 28, 2002 and due for response June 28, 2002, Applicant encloses a Request for a three month extension of time making this response due September 28, 2002. Since September 28, 2002 falls on a Saturday, the due date is extended to **Monday, September 30, 2002**. Applicant

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encloses the amount of **\$920.00 U.S** the fee required for filing the three month extension of time for a large entity. If there is any deficiency or surplusage of the fees enclosed, please obtain any such deficiency or credit the surplusage to Deposit Account 08-3255 and advise Applicants' Agent.

Applicants also encloses a Notice of Appeal and the required fee of **\$320.00 U.S.** funds to cover the fee for filing a Notice of Appeal. If there is any deficiency or surplusage of the fees enclosed for the Notice of Appeal (fee), please obtain any such deficiency or credit the surplusage to Deposit Account 08-3255 and advise Applicants' Agent.

Applicant encloses a terminal disclaimer filed in order to avoid delay of examination of this application having regard to Patent No. 6,258,783 B1. Applicant is forwarding a terminal disclaimer for this application with regard to United States Patent No. 6,258,783 B1. Applicant also encloses the fee of **\$110.00 U.S.** funds to file the enclosed terminal disclaimer . If there is any deficiency or surplusage of the fees enclosed for the terminal disclaimer (fee), please obtain any such deficiency or credit the surplusage to Deposit Account 08-3255 and advise Applicant's Agent.

Applicant herewith provides a Petition that the Final Rejection issued in the prosecution of this Application be withdrawn pursuant to M.P.E.P 706.07(c) and (d) as it was premature to issue the said Final Action. In the event that a fee is required for this request Applicant's Agent authorizes the Commissioner to access Deposit Account No. 08-3255 in the amount of the fee of **\$130.00 U.S.** to cover the fee set out in 37C.F.R. §1.17(h). Should this not be the case then it is requested that Applicant's Agent be so advised.